



City of Huntington Beach Planning and Building Department

STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: October 11, 2011

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 10-003 (BEACH AND WARNER MIXED-USE PROJECT – Continued from April 26, 2011)

PROPERTY

OWNERS: Decron Properties, Len Lichter, City of Huntington Beach Redevelopment Agency

LOCATION: The proposed mixed-use project is located on a 9.4-acre, L-shaped site on the southwest corner of Beach Boulevard and Warner Avenue

PROJECT OVERVIEW

Environmental Impact Report (EIR) No. 10-003 was continued from the April 26, 2011 Planning Commission meeting at the request of the applicant to allow time to respond to a late communication letter received on April 25th from Bergman & Dacey, Inc., representing the Ocean View School District. Prior to this, Draft EIR No. 10-003 was reviewed at a Planning Commission Study Session on March 22, 2011 (Attachment No. 1), and the Final EIR, including Errata to the Draft and a Response to Comments, was distributed in mid-April.

In response to the late communication, the Final EIR has been revised and is being re-sent to commenting parties. A copy will be distributed to the Planning Commission by October 7th. The late communication (beginning on page 10-29 of the Final EIR) raised a number of issues that staff believed warranted additional analysis, as summarized below. Responses to the late communication begin on page 10-120 of the Final EIR. Importantly, none of the updated analyses resulted in any new significant impacts or changes to the significance levels such that recirculation of the Draft EIR is warranted.

Traffic Modeling – Updated in response to a court decision in Northern California (Sunnyvale), which was finalized after circulation of the Draft EIR, that calls for an Existing plus Project analysis. This is really a theoretical exercise because the Project will not be built now, but rather at some point in the future.

Air Quality Modeling – Updated to use a new air quality model (CalEEMod) that was released by the South Coast Air Quality Management District subsequent to the publication of the Draft EIR. Use of this model resulted in a previously identified significant impact for particulate matter (PM₁₀ and PM₂₅) being eliminated during construction as the thresholds for these two pollutants will no longer be exceeded. (However, the significant impact for PM₁₀ and PM₂₅ to sensitive receptors still remains.) In addition, an Existing plus Project analysis was added based on the above-referenced traffic modeling. Finally, the original Draft EIR analysis showed that the Volatile Organic Compound (VOC) threshold would be exceeded during the construction phase; however, the write-up did not specify this. The text of the EIR has been modified to reflect the model output, but this is not a new significant impact.

Noise Modeling – An Existing plus Project analysis was added based on the additional traffic modeling. Additional noise readings were taken directly adjacent to the project site.

Greenhouse Gas Emissions – The new CalEEMod analysis tool was used to estimate emissions associated with the project.

A Planning Commission public hearing is tentatively schedule for the EIR on October 25, 2011.

ATTACHMENTS:

1. Planning Commission Study Session Report, dated March 22, 2011
2. Draft EIR No. 2010-003 dated January 2011 (**Not Attached-Available for review at the Planning and Zoning Counter – 3rd Flr., City Hall and on**
<http://www.huntingtonbeachca.gov/Government/Departments/Planning/major/Beachwarner.cfm>)



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: March 22, 2011

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 10-003 (BEACH AND WARNER MIXED-USE PROJECT)

PROPERTY

OWNERS: Decron Properties, Len Lichter, City of Huntington Beach Redevelopment Agency

LOCATION: The proposed mixed-use project is located on a 9.4-acre, L-shaped site on the southwest corner of Beach Boulevard and Warner Avenue

PROJECT OVERVIEW

In accordance with the California Environmental Quality Act (CEQA), Environmental Impact Report (EIR) No. 10-003 was prepared by PBS&J to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigation measures. The draft EIR analyzes the potential environmental impacts associated with the proposed development of 279 dwelling units, 29,600 square feet of retail uses and 6,000 square feet of restaurant uses (35,600 combined) on a 9.4-acre site located at the southwest intersection of Beach and Warner. Under the proposed project, the existing fifteen-story 196,000 square-foot (sf.) office building; the 18,531 sf. retail/restaurant building along Warner Avenue; the 7,205 sf. restaurant (Todai building) on Beach Boulevard; and the six-story, 863 stall parking structure located at the northeast corner of Sycamore Avenue and Ash Street would remain. All other buildings on the project site would be demolished and replaced with new development.

Project improvements involve the development of two six-story mixed use buildings and two one-story retail buildings. The six-story Beach Blvd. building, located adjacent to Beach, Cypress and Elm, consists of 202 apartment units located above commercial uses and the parking podium. At grade or street level commercial uses are proposed fronting Beach Blvd. and the interior (north) of the site. In addition, street level residential units will be located along Cypress Ave. and Elm St. The building includes an internal three-level 481-stall parking structure with residential units above. The parking structure provides one level of parking below grade, one level at-grade, and one level above grade.

The second six-story mixed use building is proposed adjacent to Warner, Ash and the existing parking structure. The Warner Ave. building will consist of 77 residential apartment units that front Warner Ave. and Ash St. with four live-work units fronting Warner Ave. The building also includes 3,000 sf. retail and 1,000 sf. restaurant uses oriented to the interior (east) of the site. The building includes an internal two-level, 55-stall parking structure (one level below grade, one at grade) that is surrounded by the commercial and residential uses.

ATTACHMENT NO. 1.1
SS #A-2

The project also proposes two new retail buildings fronting at the corner of Beach Blvd. and Warner Ave. The two buildings are proposed at one-story with approximately 5,500 sf. of retail uses with a public plaza. Other improvements include the consolidation of the various parcels that comprise the overall project site. The project proposes to include 7,000 sf. of residential common area, 15,800 sf. of residential private open space and 75,000 sf. of public open space.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

Draft EIR: January 3, 2011

MANDATORY PROCESSING DATE(S):

Within 1 year of complete application; January 3, 2012

CEQA ANALYSIS/REVIEW

In accordance with the California Environmental Quality Act (CEQA), EIR No. 10-003 was prepared by PBS&J to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigations measures. The proposed project is located within the Beach and Edinger Corridors Specific Plan (BECSP), adopted in March 2010. Development on this project site was included in the Notice of Preparation for the BECSP EIR (Program EIR No. 2008-008), which anticipated a total of 272 residential units and 35,600 square feet of commercial and restaurant uses for the subject property.

The 45-day review of EIR No. 10-003 began on Thursday, January 6, 2011 and closed on Tuesday, February 22, 2011. The Final Draft EIR, including the Responses to Comments and all text changes as a result of the public comment period, will be distributed to the Planning Commission and posted on the City's website when available.

The required CEQA procedure that was followed is outlined below:

July 2009

Staff conducted an initial study and determined that an EIR would be required.

July 31, 2009

Notice of Preparation was filed with the State Clearinghouse to notify the public of intent to prepare an EIR.

July 31, 2009 to August 31, 2009

Initial Study/Notice of Preparation available for 30 day public review and comment period.

August 21, 2009

A Public Scoping Meeting was held to solicit comments and issue areas to be studied in the EIR.

January 3, 2011

Notice of Completion was filed with the State Clearinghouse.

ATTACHMENT NO. 1.2

January 6, 2011 to February 22, 2011 Draft EIR available for public review and comment for forty-five days.

February 2, 2011 A Public Comment Meeting was held to solicit comments on the adequacy of the Draft EIR.

Tentative April 26, 2011 Public hearing is scheduled before the Planning Commission to Certify Final EIR No. 10-003

In the EIR, the direct, indirect and cumulative impacts of the proposed project are addressed, as are the impacts of the alternatives. The project analyzed in the EIR is a conceptual development because no formal application has been submitted. The conceptual design is based on the development standards of the Beach and Edinger Corridor Specific Plan (BECSP). The development potential was initially analyzed in the BECSP EIR, which contemplated 272 units and 35,600 square feet of commercial development on the site. The project specific EIR must be adopted and certified by the Planning Commission prior to any action on a development proposal.

Scope of the EIR Analysis

The analysis in Draft EIR No. 10-003 is tiered from the BECSP Program EIR, the environmental impacts for certain issue areas of the project are substantially consistent with the analysis in the BECSP Program EIR and did not require substantial additional analysis. Therefore, based on a preliminary environmental analysis and a review of the BECSP Program EIR, the following issue areas did not require substantial additional analysis in Draft EIR No. 10-003:

- Biological Resources
- Cultural Resources
- Geology / Soils
- Hazards and Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Population / Housing
- Climate Change

The following resources were determined to need substantial additional analysis due to the fact that with implementation of the required mitigation measures potentially significant impacts would occur, or additional, project-level analysis was not previously completed. Therefore, detailed analysis of the following resources is provided for the following:

- Aesthetics / Visual Quality
- Air Quality
- Noise
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems

ATTACHMENT NO. 1.3

No impacts to Agricultural Resources and Mineral Resources were determined; as such, no analysis is provided in the draft EIR.

Project Impacts

Although some issue areas required more detailed project-level analysis than others, all 15 issue areas noted above were analyzed for potential adverse environmental impacts as a result of the proposed project.

The EIR determined that the project would result in no impacts or less than significant impacts in the following issue areas:

- Land Use / Planning
- Population / Housing

The EIR determined that implementation of the proposed project would result in significant or potentially significant impacts that could be mitigated to a less-than-significant level in the following issue areas (refer to Attachment No. 2)

- Aesthetics / Visual Quality
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Hazards and Hazardous Materials
- Hydrology / Water Quality
- Noise
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems
- Climate Change

The EIR determined that implementation of the proposed project would result in significant, unavoidable impacts in the following issue areas:

- Air Quality
- Transportation/Traffic (cumulative only)

Alternatives

The EIR also presents alternatives to the proposed project that could avoid or reduce the severity of impacts described in the issue areas above. Two Alternatives were evaluated in the Draft EIR and described as follows:

Alternative 1: No Project/No Development Alternative - This alternative would serve as the “no development” alternative with the site remaining in its existing condition. Under this alternative all existing development and uses would remain. The undeveloped portion of the project site would remain in its existing condition.

Alternative 2: Reduced Beach Mixed Use Building Alternative – This alternative assumes the proposed Warner Mixed Use building and the two retail buildings proposed on the corner of Beach Boulevard and Warner Avenue would remain, similar to the proposed project. Alternative 2 would result in the demolition of the existing 9,200 square feet (sf) office building at the corner of Beach Boulevard and Cypress, and the existing 26,730 sf movie theater at the corner of Warner Avenue and Ash Street. All other existing structures would remain. The reduced Beach Mixed Use building would include 60 residential dwelling units and 3,600 ft of retail uses from 202 units under the proposed project. Retail uses in the Beach Mixed Use building would continue to front onto Beach Boulevard and would be located on levels one and two of the proposed building.

Other alternatives such as alternative locations and an all commercial development alternative were considered but ultimately determined to be infeasible. The Alternatives analysis concluded that the Reduced Project Alternative (Alt. No. 2) would be considered the environmentally superior alternative.

Draft EIR Conclusions

Through the use of appropriate mitigation measures identified in the EIR, the majority of the potentially adverse impacts associated with the project can be mitigated to a less-than-significant level. However, there are two project-specific and four cumulative significant adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. The significant adverse environmental impacts are as follows:

Air Quality

- > **Project Specific and Cumulative**—Construction of the proposed project would generate emissions that exceed the SCAQMD emission thresholds for ~~PM₁₀ and PM_{2.5}~~ VOCs, per Oct. 11, 2011 SS report
- > **Project Specific and Cumulative**—Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations.

Transportation/Traffic

- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an unacceptable Level of Service at two intersections (Brookhurst St./Adams Ave. & Beach Blvd./Bolsa Ave.).
- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an increase in delay at two Caltrans intersections (Beach Blvd./Warner Ave. & Beach Blvd./Garfield Ave.) and would increase traffic to the I-405 northbound loop ramp, which is currently deficient. Further, as these are under Caltrans jurisdiction, the City does not have the jurisdiction to ensure mitigation completion.

Reduced Project Alternative:

Similar to the proposed project, the majority of the impacts associated with the Reduced Project Alternative would be less than significant with the incorporation of mitigation measures and code requirements. Overall, air quality impacts anticipated under Alternative 2 would be less than the proposed project as Alternative 2 would not result in operational emissions that exceed the SCAQMD thresholds, similar to the proposed project. While construction activities would result in both regional and localized emissions that exceed the SCAQMD thresholds, these emissions would be temporary in nature and only

occur during the 20-day grading phase of construction. Similar to the proposed project, significant cumulative traffic impacts would occur since the reduced project would be contributing traffic to existing or future circulation system deficiencies identified in the BECSP Program EIR.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The analysis and conclusions included in Draft EIR No. 10-003 reflect and are in part based on consultation with the Departments of Economic Development, Fire, Police, Community Services, and Public Works.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

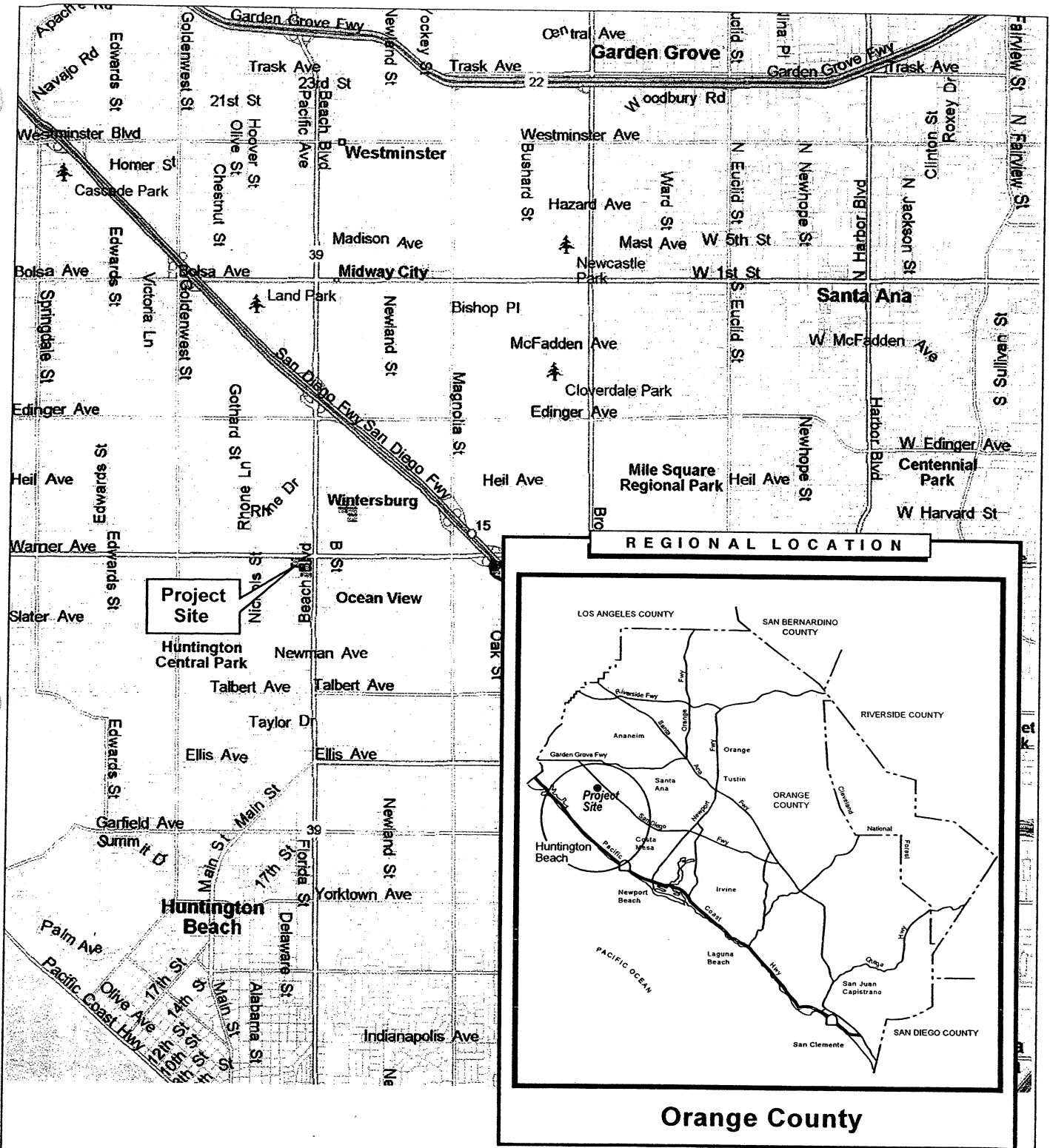
On Wednesday, February 2, 2011, approximately 12 people attended a public comment meeting that was conducted during the 45 day public review period to collect comments on the adequacy of the draft EIR. The meeting was noticed and advertised in the Huntington Beach Independent, and notices were sent to interested parties, property owners and tenants within 1,000 feet from the project site. In addition, a meeting was held on August 21, 2009 to take comments related to the scope of the environmental issues to be analyzed in the draft EIR in conjunction with the Beach and Edinger Corridors Specific Plan (BECSP) Program EIR. The meeting was advertised in the Huntington Beach Independent, and notices were sent to responsible agencies, interested parties, property owners and tenants within the BECSP project area.

PLANNING ISSUES

Staff has analyzed the EIR with regards to the level of adequacy of the environmental issues analyzed in the EIR, consistent with CEQA. The primary issue for the Planning Commission to consider is the adequacy of the EIR in accordance with the California Environmental Quality Act (CEQA) guidelines. Prior to certification and adoption of the EIR by resolution, the Planning Commission may amend the document. However, it should be noted that removal of any of the recommended mitigation measures will require findings and justification.

ATTACHMENTS:

1. Map of Project Site
- ~~2. Chapter 2 Draft EIR No. 10-003 dated January 2011 (Summary of Environmental Effects and Code Requirements/Mitigation Measures)~~
- ~~3. Draft EIR No. 2010-003 dated January 2011 (Not Attached Available for review at the Planning and Zoning Counter – 3rd Flr., City Hall and on <http://www.huntingtonbeachca.gov/Government/Departments/Planning/major/Beachwarner.cfm>)~~



Source: Microsoft Streets and Trips, 2010.

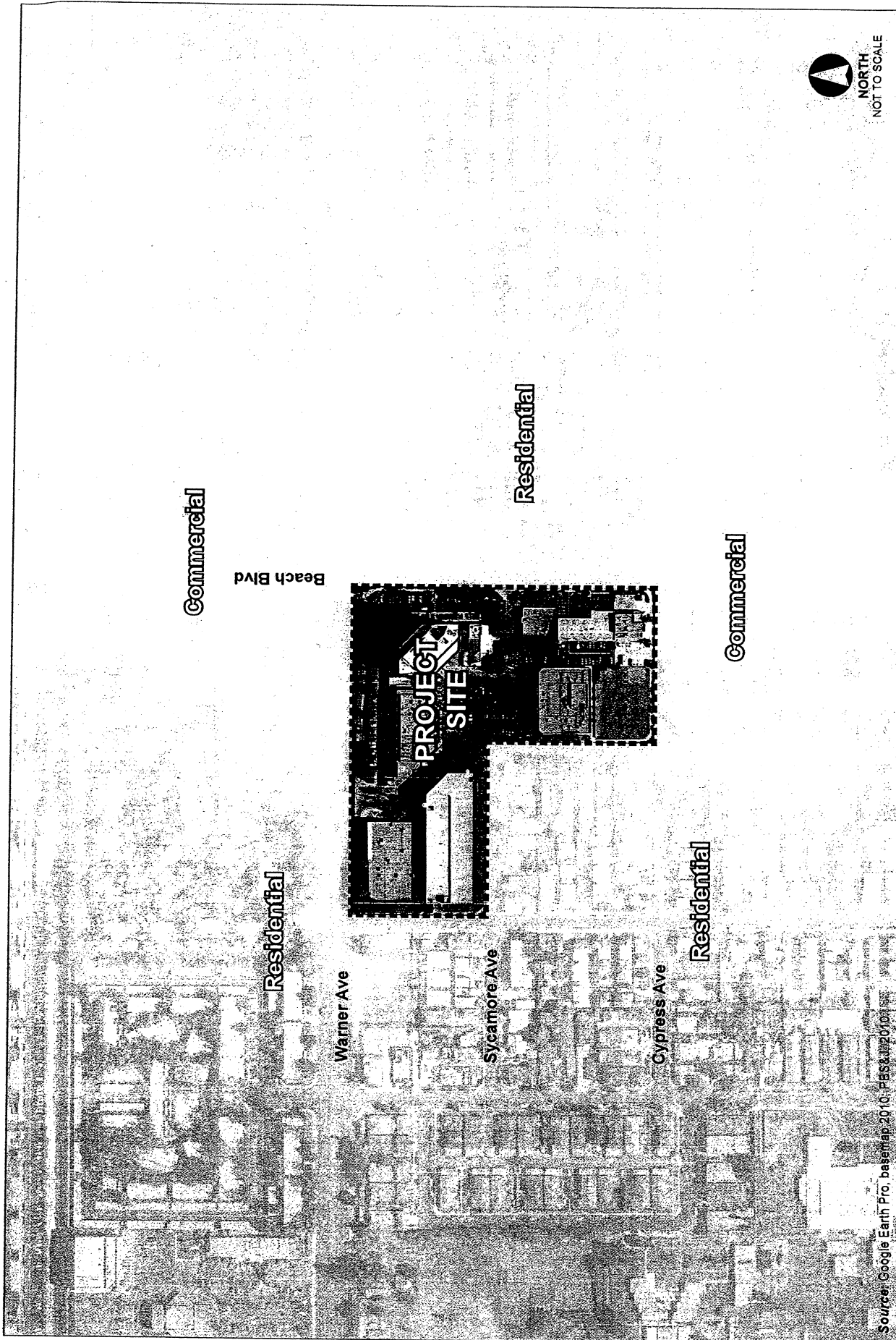


FIGURE 3-1
Project Vicinity and Regional Location Map

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Beach and Warner Mixed-Use Project

ATTACHMENT NO. 1.7



Source: Google Earth Pro, basemap 2010; PBS&J 2010

FIGURE 3-2

Project Site and Surrounding Land Uses

100000407

PBS&J



FIGURE 3-3

Proposed Project Site Plan

PBS

100000407

Beach and Warner Mixed-Use Project

Beach and Warner
Draft Environmental Impact Report
EIR No. 10-003

Document Not Attached

Available for review at:

<http://www.huntingtonbeachca.gov/Government/Departments/Planning/major/Beachwarner.cfm>